IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1740 OF 2006

in

APPEAL (Lodg) NO. 1385 OF 2005

IN

CHAMBER SUMMONS NO. 497 OF 2005

IN

SUIT NO. 258 OF 1994

M/s. Tulsi Constructinios & Associates
& Ors. ...Appellants

Versus

Virendra Shamjibhai Gala & Ors. ...Respondents

Mr. V.Y.Sanglikar i/b. R.P.Singh for the appellants.
Mr. C.S.Bulsara with Ms. Gada i/b. Harakchand & Co. for Respondent No.1.

CORAM: D.K.DESHMUKH &
J.H.BHATIA,JJ.
DATE : 23rd July, 2007.

P.C.

1. Though the explanation given for condonation of delay cannot be termed as satisfactory, in view of the

fact that a connected appeal is admitted and the willingness of the appellants to pay substantial costs to the Respondents, in our opinion, the Motion deserves to be granted.

2. Accordingly, the Motion is granted in terms of prayer clause (a), subject to the payment of costs of Rs.10,000/- to respondent No.1.

(D.K.DESHMUKH,J.)

(J.H.BHATIA,J.)